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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/769,571	01/30/2004	Thomas R. Apel	008.P001

Berkeley Law and Technology Group  
 680 NW Altishin Place  
 Beaverton, OR 97006

CONFIRMATION NO. 8895  
**FORMALITIES LETTER**



\*OC000000012960266\*

Date Mailed: 06/16/2004

## NOTICE TO FILE CORRECTED APPLICATION PAPERS

*Filing Date Granted*

An application number and filing date have been accorded to this application. The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The required item(s) identified below must be timely submitted to avoid abandonment:

- An abstract of the technical disclosure not exceeding 150 words in length and commencing on a separate sheet in compliance with 37 CFR 1.72(b) is required. An abstract was not provided for this application.

Replies should be mailed to: Mail Stop Missing Parts  
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*A copy of this notice **MUST** be returned with the reply.*

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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PTO/SB/21 (02-04)  
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**TRANSMITTAL FORM**  
 (to be used for all correspondence after initial filing)

		Application Number	10/769,571
		Filing Date	1/30/04
		First Named Inventor	Thomas R. Apel, et al.
		Art Unit	Not yet assigned
		Examiner Name	Not yet assigned
Total Number of Pages in This Submission		Attorney Docket Number	008.P001

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD. Number of CD(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Remarks <input type="checkbox"/> Return Receipt Postcard		

#### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or individual name	Berkeley Law & Technology Group, LLC
Signature	<i>Howard A. Skaist Reg. No. 36,008</i>
Date	8/16/04

#### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Michelle L. Evans
Signature	<i>Michelle L. Evans</i>
Date 8/16/04	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Patent

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re the Application of: ) Art Unit: Not Yet Assigned

Thomas R. Apel, et al. ) Examiner: Not Yet Assigned

Application Serial No.: 10/769,571 ) *I hereby certify that this correspondence is being deposited with*  
the United States Postal Service as first class mail with sufficient  
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Michelle L. Evans  
*Name of Person Transmitting Correspondence*  
Michelle L. Evans 8/16/04  
*Signature* *Date*

**Response to Notice to File Corrected Application Papers**

Sir:

In response to the Notice to File Corrected Application Papers mailed June 16, 2004,  
please find enclosed:

- (1) A Preliminary Amendment to correct the missing abstract; and
- (2) A copy of the Notice to File Corrected Application Papers.

A copy of a Credit Card Form is attached for charging purposes. Please charge any  
additional fees or credit any overpayment to the referenced credit card.

Respectfully submitted,

Berkeley Law and Technology Group, LLC

Dated: 8/18/04, 2004 Howard A. Skaist  
Howard A. Skaist  
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